

Please refer to the Instructions for Filing Notification before completing this form. The information requested here is required by law (Section 3010 of the Resource Conservation and Recovery Act).



Notification of Regulated Waste Activity

United States Environmental Protection Agency

Date Received
(For Official Use Only)

I. Installation's EPA ID Number (Mark 'X' in the appropriate box)



A. First Notification



B. Subsequent Notification
(Complete item C)

C. Installation's EPA ID Number

WV R000007336

II. Name of Installation (Include company and specific site name)

AUTOMOTIVE RECYCLING

III. Location of Installation (Physical address not P.O. Box or Route Number)

Street

RT 19 NORTH-2m W of CLARKSBURG

Street (Continued)

City or Town

GORE

State

Zip Code

WV

26301-

County Code

County Name

033 HARRISON

IV. Installation Mailing Address (See Instructions)

Street or P.O. Box

RT 3 BOX 51B

City or Town

CLARKSBURG

State

Zip Code

WV

26301-

V. Installation Contact (Person to be contacted regarding waste activities at site)

Name (Last)

KIMBLE

(First)

RON

Job Title

OWNER

Phone Number (Area Code and Number)

304-622-4393

VI. Installation Contact Address (See Instructions)

A. Contract Address

Location Mailing Other



B. Street or P.O. Box

RT 3 BOX 51B

City or Town

CLARKSBURG

State

Zip Code

WV

26301-

VII. Ownership (See Instructions)

A. Name of Installation's Legal Owner

RON KIMBLE

Street, P.O. Box, or Route Number

RT 3 BOX 51B

City or Town

CLARKSBURG

State

Zip Code

WV

26301-

Phone Number (Area Code and Number)

304-622-4393

B. Land Type

P

C. Owner Type

P

D. Change of Owner Indicator

Yes

No

(Date Changed)

Month

Day

Year

RECEIVED

SEP 09 1996

ID - For Official Use Only

VIII. Type of Regulated Waste Activity (Mark 'X' in the appropriate boxes; Refer to Instructions)**A. Hazardous Waste Management Notifications**

1. Generator (See Instructions)
- ☐ a. Greater than 1000kg/mo (2,200 lbs.)
- ☐ b. 100 to 1000 kg/mo (200-2,200 lbs.)
- ☒ c. Less than 100 kg/mo (220 lbs.)
2. Transporter (Indicate Mode in boxes 1-5 below)
- ☒ a. For own waste only
- ☐ b. For commercial purposes

Mode of Transportation

- ☐ 1. Air
- ☐ 2. Rail
- ☐ 3. Highway
- ☐ 4. Water
- ☒ 5. Other - specify

ON SITE FURAWCB

- ☐ 3. Treater, Storer, Disposer (at installation) Note: A permit is required for this activity; see Instructions.
4. Hazardous Waste Fuel
- ☐ a. Generator Marketing to Burner
- ☐ b. Other Marketers
- ☐ c. Boiler and/or Industrial Furnace
- ☐ 1. Smelter Deferral
- ☐ 2. Small Quantity Exemption
- Indicate Type of Combustion Device(s)
- ☐ 1. Utility Boiler
- ☐ 2. Industrial Boiler
- ☐ 3. Industrial Furnace
- ☐ 5. Underground Injection Control

B. Used Oil Recycling Activities

1. Used Oil Fuel Marketer
- ☐ a. Marketer Directs Shipment of Used Oil to Off-Specification Burner
- ☐ b. Marketer Who First Claims the Use of Oil Meets the Specifications
2. Used Oil Burner - Indicate Type(s) of Combustion Device(s)
- ☐ a. Utility Boiler
- ☐ b. Industrial Boiler
- ☒ c. Industrial Furnace
3. Used Oil Transporter - Indicate Type(s) of Activity(ies)
- ☐ a. Transporter
- ☐ b. Transfer Facility
4. Used Oil Processor/Re-refiner - Indicate Type(s) of Activity(ies)
- ☐ a. Process
- ☐ b. Re-refine

IX. Description of Hazardous Wastes (Use additional sheets if necessary)**A. Characteristics of Nonlisted Hazardous Wastes. (Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles; See 40 CFR Parts 261.20 - 261.24)**

1. Ignitable (D001) ☐
2. Corrosive (D002) ☐
3. Reactive (D003) ☐
4. Toxicity Characteristic (List specific EPA hazardous waste number(s) for the Toxicity characteristic contaminant(s))

B. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33; See instructions if you need to list more than 12 waste codes.)

1	2	3	4	5	6
7	8	9	10	11	12

C. Other Wastes. (State or other wastes requiring a handler to have an I.D. number; See instructions.)

1	2	3	4	5	6

X. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature

Ron Kimble

Name and Official Title (Type or print)

Ron Kimble OWNER

Date Signed

9/5/96**Xi. Comments**

Automotive Recycling is an Automotive Dismantling Facility We use Oil Removed from Vehicles for Heating

Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section III of the booklet for addresses.)



DIVISION OF ENVIRONMENTAL PROTECTION

CECIL H. UNDERWOOD
GOVERNOR

1304 Goose Run Road
Fairmont, WV 26554-1392
304-367-2724 Office
304-367-2727 Fax

MICHAEL P. MIANO
DIRECTOR

July 17, 1998

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Certified # P 222 665 301

Automotive Recyclers
Route 3, Box 51B
Clarksburg, WV 26301

Attention: Mr. Ron Kimble

Dear Mr. Kimble:

Enclosed is a copy of the Emergency Response Report completed by representatives of the Chief from the Office of Waste Management. This report is based on the inspection conducted on June 8, 1998.

Please refer to the Notice of Violation for those violations discovered during the course of this inspection. As a result of those violations, this report is being referred for the following actions:

 Notice of Violation (NOV)
 X Enforcement Referral

A copy of this report is being transmitted to the United States Environmental Protection Agency (U.S. E.P.A.), Region III, Philadelphia, Pennsylvania.

Thank you for your assistance and cooperation during this inspection. If you have any questions concerning the inspection or the attached report, please feel free to contact Inspector John Hando at 304-367-2724.

Sincerely,

Stanley J. Moskal
Inspector Supervisor - Northern Unit
Compliance Assurance and Emergency Response
Office of Waste Management

SJM:st

Enclosures

cc: Naomi Henry, U.S. EPA Region III ✓
Administrative Enforcement Unit
John C. Hando, Inspector
RCRA File

Office of Waste Management, Compliance Monitoring and Enforcement
Telephone: (304) 367-2724 Fax: (304) 367-2727 TDD: 1-800-422-5700



ACKNOWLEDGEMENT OF NOTIFICATION
OF REGULATED WASTE ACTIVITY
(VERIFICATION)

This is to acknowledge that you have filed a Notification of Regulated Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

RECEIVED

OCT 07 1996

Division of Environmental Protection
Office of Waste Management
Notifications
INSTALLATION ADDRESS

EPA Form 8700-12A (6-90)

+ EVIDENCE 000007336

09/25/96

AUTOMOTIVE RECYCLING

RT 3- BOX 51 B

CLARKSBURG, WV 26301

RON KIMBLE OWNER

RT 113 N 2 MI N OF CLARKSBURG

GOVE, WV 26301

EMERGENCY RESPONSE

RE: Automotive Recyclers

DATE: June 8, 1998

INSPECTORS: John C. Hando, West Virginia Division of Environmental Protection,
Office of Waste Management, Fairmont District Office

Stan Moskal, West Virginia Division of Environmental Protection,
Office of Waste Management, Fairmont District Office

PREPARED BY: John C. Hando, Office of Waste Management

On June 8, 1998, the previously referenced inspectors responded to a fire at Automotive Recyclers near Clarksburg, West Virginia. The initial fire occurred on June 7, 1998. During the fire, at least one container of used oil ruptured spreading the fire to different portions of the salvage yard. Also, several containers of gasoline were identified during the June 7, 1998 fire.

The purpose of this response was the sampling of materials on-site, for a waste determination. A total of eleven samples was taken for analysis. Sample 1 was taken from a 55-gallon drum labeled as DEP1, sample 2 was from a 55-gallon drum labeled as DEP6 and sample 3 was from a 55-gallon drum labeled as DEP8. These three samples were obtained from a cluster of twelve 55-gallon drums on the northeast portion of the property. Sample results indicated a flash point less than ambient temperature. According to Analyst B. Plemons, ambient temperature during the testing was 67.6°F.

Samples 4-7 were taken from four 500-gallon poly totes. Analytical results indicate a flashpoint less than 67.6°F.

Samples 8 and 9 were taken from an MC-306 tank truck. Sample results indicate a flashpoint less than 67.6°F.

Sample 10-A was a composite of water from the various samples. Analytical results indicate a flashpoint less than 67.6°F.

Sample 10-B was a composite of water from the various samples. Analytical results indicated the presence of the following organics: Benzene, 24.7 mg/l, Toluene, 30.0 mg/l, Ethylbenzene, 3.74 mg/l and Xylene, 21.4 mg/l.

This facility was previously inspected on July 30, 1996 (attached). According to Mr. Ron Kimble, the only potential hazardous waste generated was gasoline from gas tanks. Mr. Kimble further stated that he used the gasoline in equipment and gave it to his employees. However, based on this response, Automotive Recyclers was storing over 3000 gallons of waste gasoline. Approximately 2000 gallons of the waste gasoline was stored in four 500-gallon poly totes. The four totes were all labeled as non-hazardous waste.

Emergency Response (Automotive Recyclers, Route 3, Box 51B, Clarksburg, WV 26301)
EPA ID# Non-Notifier
June 8, 1998
Page two

COMPLIANCE EVALUATION

During the June 8, 1998 Emergency Response, the following violations were noted.

1. This facility did not obtain an EPA identification number, in violation of 40 CFR 262.12.
2. This facility did not label each container with the words "Hazardous Waste," in violation of 40 CFR 262.34(a)(3) as referenced by 262.34(d)(4).
3. This facility did not mark each container with the date of accumulation, in violation of 40 CFR 262.34(a)(2) as referenced by 262.34(d)(4).
4. This facility has accumulated more than 6000 kg of hazardous waste on-site, in violation of 262.34(d)(1).



CLARKSBURG, W. V.
SE 1/4 CLARKSBURG 15' QUADRA
N3915-W8015/7.5

RELIANCE LABORATORIES, INC.

POST OFFICE BOX 625
10 BENEDUM INDUSTRIAL PARK ROAD
BRIDGEPORT, WV 26330-0625
VOICE 304-842-5285 FAX 304-842-5351
E-MAIL <reliancelabs@westvirginia.net>

ENVIRONMENTAL ANALYSTS
AND CONSULTANTS

ONE EAGLE PLAZA, SUITE I
HEDGESVILLE, WV 25427
VOICE 304-754-7360
FAX 304-754-7475



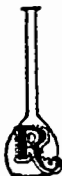
DIVISION OF ENVIRONMENTAL PROTECTION
1304 GOOSE RUN ROAD
FAIRMONT, WEST VIRGINIA 26554

Date: June 30, 1998
Date Sampled: June 12, 1998
Date Analyzed: June 30, 1998

LAB.#	Sample I.D.	Sample ID	Date Sampled	Flashpoint(Low) Deg/F	Analyst
24324-98-W	#1	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24325-98-W	#2	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24326-98-W	#3	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24327-98-W	#4	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24328-98-W	#5	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24329-98-W	#6	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24330-98-W	#7	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24331-98-W	#8	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24332-98-W	#9	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			
24333-98-W	#10-A	PROJECT	6/8/98	67.6	BPlemons
		#892250-01			

ANNUAL BOOK OF ASTM STANDARDS, Section 11
Section 5, Published Yearly
METHOD - ASTM D-93

William F. Kirk, Jr.
President



POST OFFICE BOX 625
10 BENEDUM INDUSTRIAL PARK ROAD
BRIDGEPORT, WV 26330-0625
VOICE 304-842-5285 FAX 304-842-5351
E-MAIL <reliancelabs@westvirginia.net>

ENVIRONMENTAL ANALYSTS
AND CONSULTANTS

ONE EAGLE PLAZA, SUITE 1
HEDGESVILLE, WV 25427
VOICE 304-754-7360
FAX 304-754-7475

Friday, July 10, 1998

DIVISION OF ENVIRONMENTAL PROTECTION

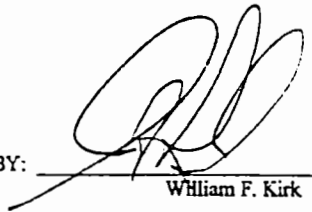
OFFICE OF WASTE MANAGEMENT
1304 Goose Run Road
Fairmont, WV 26554

Sample I.D: #10-B WATER PHASES
PROJECT #898060
Lab.Number: 24334-98-W

PARAMETER	VALUE	UNITS	METHOD	MDL	DATE/TIME ANALYZED	ANALYST
Benzene	24.7	mg/l	EPA 8021B	0.0007	6/12/98 16:00	B.Plemons
Toluene	30.0	mg/l	EPA 8021B	0.0024	6/12/98 16:00	B.Plemons
Ethylbenzene	3.74	mg/l	EPA 8021B	0.0003	6/12/98 16:00	B.Plemons
Xylene	21.4	mg/l	EPA 8021B	0.0013	6/12/98 16:00	B.Plemons
<hr/>						
T.Petroleum Hydrocarbons Gasoline Range(GRO)	164	mg/l	EPA 8015B	0.171	6/12/98 16:00	B.Plemons

Date Sampled: 1998/06/08 11:47
Sample Submitted By: J.HANDO
Date Sample Received: 1998/06/12 9:10
ND = Not Detected at 2x MDL
MDL = Minimum Detectable Limit

REVIEWED BY:


William F. Kirk

* TEST METHODS FOR EVALUATING SOLID WASTE,
SW-846, 3rd Edition

BTEX Surrogate Recovery 126.0 %Recovery
BTEX Surrogate Recovery Limit 22.5 - 149.8 %Recovery
TPH GRO Surrogate Recovery 72.4 %Recovery
TPH GRO Surrogate Recovery Limits 54.4 - 124.4 %Recovery

[illegible]

CHAIN OF CUSTODY RECORD

* MUST BE COMPLETED BY CLIENT

CLIENT NAME* WVDEPCME		ADDRESS*		SHEET NO. 1 OF 3															
CUSTOMER NO. C00302	PHONE NO.*	SAMPLE NO. *	H				B	NO	O										
	()	MATRIX* OF	H	2			N	A	P	T									
SAMPLER/S* JCH	FAX NO.*	AND TEMP	CON-	N	S	H	a	C	R	H	ANALYSIS REQUIRED *								
	()	14	TAINERS	0	0	C	O	T	E	E									
LAB NUMBER*	DATE*	TIME*	COMP*	GRAB*	IDENTIFICATION*	3	4	L	H	I	S	R							
24324-98	6/18	10:55			* 1	W	1												
24325-98	18	10:55			* 2	W	1												
24326-98		10:57			* 3	W	1												
24327-98		11:04			* 4	W	1												
24328-98		11:06			* 5	W	1												
24329-98		11:09			* 6	W	1												
24330-98		11:11			* 7	W	1												
24331-98		11:20			* 8	W	1												
24332-98		11:23			* 9	W	1												
24333-98		11:47			* 10 A	W	1												
24334-98		11:49			* 10 B	W	1						BTEX						

Flashpoint

THESE SAMPLES DO / DO NOT MEET EPA GUIDELINES FOR PROPER HOLDING TIMES WEATHER/TEMPERATURE:
 THESE SAMPLES DO / DO NOT MEET EPA GUIDELINES FOR PROPER PRESERVATIVES REMARKS:
 THESE SAMPLES DO / DO NOT MEET EPA GUIDELINES FOR PROPER CONTAINERS
 THESE SAMPLES ARE / ARE NOT FOR COMPLIANCE PURPOSES

Relinquished by: *	Date/Time *	Received by: *
Print: John C. Hand	6/12/98 9:10	Print: [Signature]
Sign: [Signature]		Sign: [Signature]
Relinquished by: *	Date/Time	Received by:
Print:		Print:
Sign:		Sign:
Relinquished by: *	Date/Time	Received by:
Print:		Print:
Sign:		Sign:
Relinquished by: *	Date/Time	Received by:
Print:		Print:
Sign:		Sign:
	Date/Time	Received by:

COPY
 RELIANCE LABORATORIES, INC.
 P.O. BOX 625
 10 BENEDUM INDUSTRIAL PARK ROAD
 BRIDGEPORT, WV 26330
 304/842-5285 FAX 304/842-5351

ONE EAGLE PLAZA, SUITE I
 HEDGESVILLE, WV 25427
 304-754-7360

EXTENT OF LIABILITY
 Should Reliance Laboratories, Inc. be at fault and any dispute arise regarding analytical data generated by the laboratory the extent of liability to Reliance Laboratories will be a duplicate analysis of that sample (providing adequate sample remains) or a refund of the analytical fee. In no event will Reliance Laboratories, be liable for damages including but not limited to direct, indirect, or consequential damages arising from such dispute.

INSPECTION FACT SHEET

COMPANY NAME: Automotive Recycling ID.#: Non-Notifier
MAILING ADDRESS: Route 3 Box 51B TYPE OF FACILITY: Not Determined
Clarksburg, WV 26301
LOCATION: COUNTY: Harrison
COMPANY CONTACT: Mr. Ron Kimble HANDLING CODES: SO1
PHONE: (304) 622-4393
PURPOSE: Compliance Evaluation Inspection

APPLICABLE REGULATIONS: West Virginia Hazardous Waste Management Act, Chapter 22-18;
West Virginia Administrative Regulations for Chapter 22-18;
and/or 40 CFR Parts 260 thru 279

LIST OF CHEMICALS:

(For Small Quantity Generators, list amount of waste, how it is handled, where it goes)
Used Oil

___ DETERMINATION PENDING

___ NOT APPLICABLE

X VIOLATIONS

___ NO VIOLATIONS

DATE INSPECTED: July 30, 1996

INSPECTOR: (1) John Hando, West Virginia Division of Environmental Protection,
Office of Waste Management, Fairmont District Office
(2) Mike Gallo, West Virginia Division of Transportation,
Department of Highways

DATE PREPARED: August 2, 1996

PREPARED BY: John Hando, Office of Waste Management

INSPECTION REPORT

RE: Automotive Recycling (Non-Handler)

DATE INSPECTED: July 30, 1996

INSPECTOR: John Hando, West Virginia Division of Environmental Protection,
Office of Waste Management, Fairmont District Office

Mike Gallo, West Virginia Department of Transportation, Division of
Highways

DATE PREPARED: August 2, 1996

PREPARED BY: John Hando, Office of Waste Management

On July 30, 1996, the above referenced inspectors conducted a Compliance Evaluation Inspection at Automotive Recycling, in Clarksburg, West Virginia. Upon our arrival we met with Mr. Ron Kimble and informed him of our intentions to inspect this facility.

Upon presentation of appropriate credentials the company official was informed of my authority as a representative of the Director of the Division of Environmental Protection pursuant to Chapter 22 of the Code of West Virginia and as specified by Section 3007(a) of the Resource Conservation and Recovery Act. He acknowledged my authority. The company official was informed that this inspection would emphasize the company's compliance with the Hazardous Waste Management Act (Chapter 22, Article 18), and the regulations promulgated thereunder.

This facility salvages parts from cars for resale. All salvaging takes place inside, on concrete. This facility generates used oil from engines and hydraulic systems. All used oils are placed into 55 gallon drums or a 500-gallon tote. All used oils are then burnt by the facility for heat. This facility also stores batteries prior to shipment off-site. No cracking of batteries occurs on-site. The batteries are sold to Joe's Junk Yard or Interstate Battery. This facility also generates gasoline from the gas tanks of cars. All gasoline is used on-site, or given to employees to use in their vehicles.

COMPLIANCE EVALUATION

The following violation was noted during the July 30, 1996 inspection at Automotive Recycling.

1. This facility has not notified of its used oil activity, in violation of 40 CFR 279.73 as referenced by 279.11.



BUREAU OF ENVIRONMENT
DIVISION OF ENVIRONMENTAL PROTECTION

GASTON CAPERTON
GOVERNOR

Office of Waste Management

LAIDLEY ELI McCOY, Ph.D.
DIRECTOR

NOTICE OF VIOLATION

DATE: July 30, 1996

TIME: 1430 hours

ISSUED TO: Automotive Recycling

EPA I.D.#: Non-Notifier

FACILITY MAILING ADDRESS: Route 3, Box 51B, Clarksburg, WV 26301

FACILITY REPRESENTATIVE: Mr. Ron Kimble

On the date and time specified, an authorized agent of the Chief of the Office of Waste Management conducted an inspection of the facility described above in accordance with West Virginia Code, Chapter 22, Section 18 and/or an Order or Permit issued pursuant to §22-18. During that inspection the following violation(s) were noted:

1.A. (Regulation) 40 CFR 279.73 as referenced by 279.11

B. (Facts) Automotive Recycling has not obtained an E.P.A. Identification Number
Regarding used oil activity.

2.A. _____

B. _____

3.A. _____

B. _____

In order to attain compliance with the cited Code and/or Regulations, you must perform the following remedial actions:

Obtain EPA Identification Number regarding used oil activity.

A copy of this Notice of Violation will be forwarded to the Enforcement Unit of the Office of Waste Management. The issuance of this Notice may result in an administrative civil penalty being levied in accordance with West Virginia Code §22-18-17.

District Phone: 304-367-2724

Issued By: John C. Boardman

District Fax: 304-367-2727

Title: Environmental Inspector Specialist



ACKNOWLEDGEMENT OF NOTIFICATION
OF REGULATED WASTE ACTIVITY
(VERIFICATION)

This is to acknowledge that you have filed a Notification of Regulated Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER

+ HVR000007336

09/25/96

AUTOMOTIVE RECYCLING
RT 3 BOX 51-B
CLARKSBURG, WV 26301
RON KIMBLE OWNER

INSTALLATION ADDRESS

RT 119 N 2 MI N OF CLARKSBURG
GORE, WV 26301



DIVISION OF ENVIRONMENTAL PROTECTION

CECIL H. UNDERWOOD
GOVERNOR

1304 Goose Run Road
Fairmont, WV 26554-1392
(304) 367-2724 Office
(304) 367-2727 Fax

MICHAEL P. MIANO
DIRECTOR

November 5, 1998

Automotive Recycling
Route 3 Box 51B
Clarksburg, WV 26301

Attention: Ron Kimble

Dear Mr. Kimble:

Enclosed is a copy of the **Compliance Evaluation Inspection Follow-up (CEI-FU) Report** completed on your facility by representatives of the Chief from the Office of Waste Management. This report is based on the inspection conducted on October 14, 1998.

A copy of this report is being transmitted to the United States Environmental Protection Agency (U.S. EPA), Region III, Philadelphia, Pennsylvania.

Thank you for your assistance and cooperation during this inspection. If you have any questions concerning the inspection or the attached report, please feel free to contact this office at (304) 367-2724.

Sincerely,

Stanley J. Moskal
Stanley J. Moskal

Inspector Supervisor - Northern Unit
Compliance Assurance and Emergency Response
Office of Waste Management

SJM:st

Enclosure:

cc: Carletta Parlin, 3WC31 ✓
John C. Hando, Inspector
RCRA File

INSPECTION FACT SHEET

COMPANY NAME: Automotive Recycling

I.D.#: WVR000007336

MAILING ADDRESS: Route 3, Box 51B
Clarksburg, WV 26301

TYPE OF FACILITY: Non-Handler

LOCATION:

COUNTY: Harrison

COMPANY CONTACT: Mr. Ron Kimble

HANDLING CODES:

PHONE:

PURPOSE: Follow-up to 6/8/98 Report

APPLICABLE REGULATIONS: West Virginia Hazardous Waste Management Act, Chapter 22-18;
West Virginia Administrative Regulations for Chapter 22-18;
and/or 40 CFR Parts 260 thru 279

LIST OF CHEMICALS:

(For Small Quantity Generators, list amount of waste, how it is handled, where it goes)

___ DETERMINATION PENDING

___ NOT APPLICABLE

___ VIOLATIONS

 X NO VIOLATIONS

DATE INSPECTED: October 14, 1998

INSPECTOR: (1) John C. Hando, Stan Moskal, West Virginia Division of Environmental
Protection, Office of Waste Management, Fairmont District Office

(2) H. Michael Dorsey, Tom Fisher, West Virginia Division of Environmental
Protection, Office of Waste Management, Charleston Office

PREPARED BY: John C. Hando, Office of Waste Management

TRIP REPORT

RE: Automotive Recycling (WVR000007336)

DATE: October 14, 1998

INSPECTORS: H. Michael Dorsey, West Virginia Division of Environmental Protection,
Office of Waste Management, Charleston Office

Tom Fisher, West Virginia Division of Environmental Protection,
Office of Waste Management, Charleston Office

John C. Hando, West Virginia Division of Environmental Protection,
Office of Waste Management, Fairmont District Office

Stan Moskal, West Virginia Division of Environmental Protection,
Office of Waste Management, Fairmont District Office

PREPARED BY: John C. Hando, Office of Waste Management

On October 14, 1998, the previously referenced individuals conducted a Follow-up Evaluation at Automotive Recycling near Clarksburg, West Virginia. The purpose of this Follow-up was to determine the status of the wastes listed in the June 8, 1998-report filed by this inspector. Based on a visual inspection, the following items were still on-site: two of the four 500-gallon poly totes, the MC-306 tank truck and the cluster of poly 55-gallon drums.

A review of the latest GENNILONG indicates that Automotive Recycling notified regarding its used oil and hazardous waste activity on September 12, 1996.



DIVISION OF ENVIRONMENTAL PROTECTION

CECIL H. UNDERWOOD
GOVERNOR

1356 Hansford Street
Charleston, WV 25301-1401

MICHAEL P. MIANO
DIRECTOR

December 10, 1998

Mr. Ron Kimble
Automotive Recycling
Route 3, Box 51B
Clarksburg, WV 26301

Certified Mail
Return Receipt Requested

Dear Mr. Kimble:

Enclosed is Draft Consent Order HW-018-98 proposed by the Chief of the Office of Waste Management as a settlement for violations of the West Virginia Hazardous Waste Management Rule, 33 CSR 20.

Within ten days of certified receipt of this Draft Consent Order, contact me at (304) 558-2505 to arrange a meeting with me to discuss the terms and signing of this Order.

Sincerely,

David C. Simmons
Environmental Resource
Specialist II

DS/raf

Enclosed Order

cc: H. Michael Dorsey, CAER Asst. Chief
Michael I. Stratton, Enf. Unit Leader
Tom Fisher, Field Operations Program Mgr.
EPA Region III

Office of Waste Management, Compliance Assurance & Emergency Response
Telephone: (304) 558-2505 Fax: (304) 558-0256 TDD: 1-800-422-5700



DIVISION OF ENVIRONMENTAL PROTECTION

CECIL H. UNDERWOOD
GOVERNOR

1356 Hansford Street
Charleston, WV 25301-1401

MICHAEL P. MIANO
DIRECTOR

ORDER

ISSUED UNDER THE

HAZARDOUS WASTE MANAGEMENT ACT

CHAPTER 22, ARTICLE 18 OF THE WEST VIRGINIA CODE, AS AMENDED

Order Number HW-018-98

To: Mr. Ron Kimble
Automotive Recycling
Route 3, Box 51B
Clarksburg, WV 26301

ATTENTION: MR. RON KIMBLE

This Order is issued by the Director of the West Virginia Division of Environmental Protection, through his authorized representative, the Chief of the Office of Waste Management, under the authority of the West Virginia Code, as amended (hereinafter, the "Code"), Chapter 22, Article 18, Section 15 to Ron Kimble, Automotive Recycling, (hereinafter, "Automotive Recycling"). The Director has adopted and incorporated by reference the applicable sections of 40 CFR parts 260 through 279 into the Hazardous Waste Management Rule (hereinafter, "33 CSR 20").

BASIS FOR ORDER

Automotive Recycling was a facility involved in the salvaging of parts from automobiles for future resale. This facility generated used oil from engines and hydraulic systems. All used oils were placed into 55 gallon drums or a 500 gallon tote. All used oils were allegedly burnt by the facility for heat. This facility also stored batteries prior to shipment off-site. This facility also generated gasoline from the gas tanks of automobiles. All gasoline was allegedly used on-site, or given to employees to use in their vehicles.

On June 8, 1998, inspectors Stan Moskal and John C. Hando from the Office of Waste Management, Fairmont District, responded to a fire at Automotive Recycling near Clarksburg, West Virginia. The fire occurred on June 7, 1998. During the fire, at least one container of used oil ruptured, spreading the fire to different portions of the salvage yard.

During this inspection of June 8, 1998, the inspectors found that Automotive Recycling was storing over 3000 gallons of waste gasoline. Approximately 2000 gallons of the waste gasoline were stored in four 500-gallon poly totes. The four totes were all labeled as non-hazardous waste. Based on 40 CFR 261.2(e)(2)(ii), these materials labeled as non-hazardous waste are solid waste. The solid waste was then sampled to determine if it contained hazardous constituents.

A total of 11 samples were taken from the site of Automotive Recycling: three samples were taken from a cluster of twelve 55-gallon drums, 4 samples from four 500-gallon poly totes, two samples from a MC-306 tank truck, one sample a composite of water from the various samples, and one sample also a composite of water from the various samples.

The results of the analytical sampling showed that ten samples had a flash point of 67.6 F. One sample was found to contain the following organics: Benzene, 24.7 mg/l, Toluene, 30.0 mg/l, Ethylbenzene, 3.74mg/l and Xylene, 21.4 mg/l. Based upon these results, the solid waste was determined to have characteristics which defined the waste as hazardous waste.

During the June 8, 1998 Emergency Response, the following violations were noted.

1. This facility did not obtain an United States Environmental Protection (hereinafter, "EPA") identification number, in violation of 40 CFR 262.12. This violation was cited in error and is now withdrawn.
2. This facility did not label each container with the words "Hazardous Waste," in violation of 40 CFR 262.34(a)(3) as referenced by 262.34(d)(4).
3. This facility did not mark each container with the date of accumulation, in violation of 40 CFR 262.34(a)(2) as referenced by 262.34(d)(4).
4. This facility has accumulated more than 6000 kg of hazardous waste on-site, in violation of 262.34(d)(1).

On October 14, 1998, a follow-up inspection was conducted at Automotive Recycling. During this visual inspection, the following items were seen on-site: two 500-gallon poly totes, a MC-306 tank truck, the cluster of 55-gallons drums. All of these items were observed on site during the June 8, 1998 Emergency Response.

A violation from the June 8, 1998 Emergency Response cited under 40 CFR 262.12, for failure to obtain an EPA identification number, was withdrawn after finding that Automotive Recycling had notified of its used oil and hazardous waste activity on September 12, 1996.

REQUIREMENTS OF ORDER

Now, therefore, in accordance with Chapter 22, Article 18, Section 15 of the Code, it is hereby agreed between the parties and **ORDERED** by the Chief as follows:

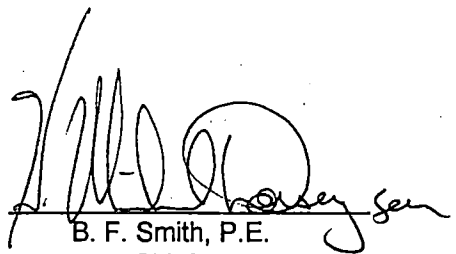
1. Upon the effective date of this order, and to resolve all violations cited in this Basis for Order, Automotive Recycling shall pay an administrative settlement to the West Virginia Hazardous Waste Management Fund in the amount of \$26,000.00 (twenty-six thousand dollars).
2. Within thirty days of the effective date of this order, Automotive Recycling shall submit a report, which will detail measures that have been taken by Automotive Recycling to correct all violations listed in the Basis for Order. The report shall include copies of all pertinent invoices or contracts relating to work performed to correct the violations.

GENERAL PROVISIONS

1. The Chief reserves all rights and defenses which he may have pursuant to any legal authority as well as a right to raise, as a basis for supporting such legal authority or defenses, facts other than those enumerated in the Basis for Order.
2. Automotive Recycling hereby waives its rights to appeal this Order under the provisions of Chapter 22, Article 18, Section 20 of the Code. Under this Order, Automotive Recycling agrees to undertake all actions required by the terms and conditions of this Order and consents to and will not contest the Chief's jurisdiction regarding this Order. However, Automotive Recycling does not admit to any factual and legal determination made by the Chief in this Order and reserves all rights and defenses available regarding liability and responsibility in any proceedings regarding the facility other than proceedings, either administrative or civil, to enforce this Order.
3. This Order becomes effective on the date indicated and shall terminate upon notification from the Chief that Automotive Recycling has fulfilled the requirements as set forth in the Requirements of Order.

Effective Date

Ron Kimble
Automotive Recycling


B. F. Smith, P.E.
Chief
Office of Waste Management

ADMINISTRATIVE SETTLEMENT CALCULATION MATRIX

Each of the factors, Potential for Harm and Extent of Deviation from the requirement, forms one of the axes of the administrative settlement calculation matrix. The matrix has nine cells, each cell contains an administrative settlement range. The specific cell is chosen after determining which category (major, moderate, or minor) is appropriate for the Potential for Harm factor, and which category is appropriate for the Extent of Deviation factor.

The lowest cell (minor Potential for Harm, minor Extent of Deviation) contains a maximum administrative settlement of \$499. The highest cell (major Potential for Harm, major Extent of Deviation) is limited by the maximum statutory administrative settlement allowance of \$25,000 per day for each violation. The complete matrix is illustrated below. The administrative settlement amounts are based on EPA Guidelines.

		EXTENT OF DEVIATION		
		MAJOR	MODERATE	MINOR
POTENTIAL FOR HARM	MAJOR	\$25,000 TO \$20,000	\$19,999 TO \$15,000	\$14,999 TO \$11,000
	MODERATE	\$10,999 TO \$8,000	\$7,999 TO \$5,000	\$4,999 TO \$3,000
	MINOR	\$2,999 TO \$1,500	\$1,499 TO \$500	\$499 TO \$100

VIOLATIONS SUMMARY AUTOMOTIVE RECYCLING

Violation	Potential	Deviation	Amount
Label Containers	Minor	Moderate	\$ 1,000
Date of Accumulation	Minor	Moderate	\$ 1,000
>6000kg. waste on-site	Major	Major	\$24,000
Total Administrative Settlement West Virginia Hazardous Waste Management Fund:			\$26,000



Office of Waste Management
1356 Hansford Street
Charleston, WV 25301-1401
(304) 558-2505
(304) 558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael P. Miano
Director

March 17, 1999

Mr. Ron Kimble
Automotive Recycling
Route 3, Box 51B
Clarksburg, WV 26301

Certified Mail
Return Receipt Requested

Dear Mr. Kimble:

Enclosed is Unilateral Order HW-018-98 issued by the Chief of the Office of Waste Management.

If you have questions about the terms or conditions of this Order, please contact me at **(304)558-2505**.

Sincerely,

David C. Simmons
Environmental Resource
Specialist II

Enclosed Order

cc: H. Michael Dorsey, CAER Asst. Chief
Michael I. Stratton, Enf. Unit Leader
Tom Fisher, Field Operations Program Mgr.
~~EPA Region III~~

"To use all available resources to protect and restore West Virginia's
environment in concert with the needs of present and future generations."



West Virginia
Division of
Environmental Protection



Office of Waste Management
1356 Hansford Street
Charleston, WV 25301-1401
(304) 558-2505
(304) 558-0256

West Virginia Division of Environmental Protection

Cecil H. Underwood
Governor

Michael P. Miano
Director

UNILATERAL ORDER

ISSUED UNDER THE

HAZARDOUS WASTE MANAGEMENT ACT

CHAPTER 22, ARTICLE 18 OF THE WEST VIRGINIA CODE, AS AMENDED

Order Number HW-018-98

To: Mr. Ron Kimble
Automotive Recycling
Route 3, Box 51B
Clarksburg, WV 26301

ATTENTION: MR. RON KIMBLE

This Order is issued by the Director of the West Virginia Division of Environmental Protection, through his authorized representative, the Chief of the Office of Waste Management, under the authority of the West Virginia Code, as amended (hereinafter, the "Code"), Chapter 22, Article 18, Section 15 to Ron Kimble, Automotive Recycling, (hereinafter, "Automotive Recycling"). The Director has adopted and incorporated by reference the applicable sections of 40 CFR parts 260 through 279 into the Hazardous Waste Management Rule (hereinafter, "33 CSR 20").

BASIS FOR ORDER

Automotive Recycling was a facility involved in the salvaging of parts from automobiles for future resale. This facility generated used oil from engines and hydraulic systems. All used oils were placed into 55 gallon drums or a 500 gallon tote. All used oils were allegedly burnt by the facility for heat. This facility also stored batteries prior to shipment off-site. This facility also generated gasoline from the gas tanks of automobiles. All gasoline was allegedly used on-site, or given to employees to use in their vehicles.

On June 8, 1998, Inspectors Stan Moskal and John C. Hando from the Office of Waste Management, Fairmont District, responded to a fire at Automotive Recycling near Clarksburg, West Virginia. The fire occurred on June 7, 1998. During the fire, at least one container of used oil ruptured, spreading the fire to different portions of the salvage yard.

During this inspection of June 8, 1998, the inspectors found that Automotive Recycling was storing over 3000 gallons of waste gasoline. Approximately 2000 gallons of the waste gasoline were stored in four 500-gallon poly totes. The four totes were all labeled as non-hazardous waste. Based on 40 CFR 261.2(e)(2)(ii), these materials labeled as non-hazardous waste are solid waste. The solid waste was then sampled to determine if it contained hazardous constituents.

A total of eleven samples were taken from the site of Automotive Recycling: Three samples were taken from a cluster of twelve 55-gallon drums, four samples from four 500-gallon poly totes, two samples from a MC-306 tank truck, one sample a composite of water from the various samples, and one sample also a composite of water from the various samples.

The results of the analytical sampling showed that ten samples had a flash point of 67.6 F. One sample was found to contain the following organics: Benzene, 24.7 mg/l, Toluene, 30.0 mg/l, Ethylbenzene, 3.74 mg/l and Xylene, 21.4 mg/l. Based upon these results, the solid waste was determined to have characteristics which defined the waste as hazardous waste.

During the June 8, 1998 Emergency Response, the following violations were noted.

1. This facility did not obtain an United States Environmental Protection (hereinafter, "EPA") identification number, in violation of 40 CFR 262.12. This violation was cited in error and is now withdrawn.
2. This facility did not label each container with the words "Hazardous Waste," in violation of 40 CFR 262.34(a)(3) as referenced by 262.34(d)(4).
3. This facility did not mark each container with the date of accumulation, in violation of 40 CFR 262.34(a)(2) as referenced by 262.34(d)(4).
4. This facility has accumulated more than 6000 kg of hazardous waste on-site, in violation of 262.34(d)(1).

A violation from the June 8, 1998 Emergency Response cited under 40 CFR 262.12, for failure to obtain an EPA identification number, was withdrawn after finding that Automotive Recycling had notified of its used oil and hazardous waste activity on September 12, 1996.

On October 14, 1998, a follow-up inspection was conducted at Automotive Recycling. During this visual inspection, the following items were seen on-site: two 500-gallon poly totes, a MC-306 tank truck, the cluster of 55-gallons drums. All of these items were observed on site during the June 8, 1998 Emergency Response.

On January 11, 1999, a meeting was held between Automotive Recycling and the Chief, to discuss the Draft Consent Order issued to Automotive Recycling on December 10, 1998. It was agreed between Automotive Recycling and the Chief that, in the first step toward resolving the outstanding violations, Automotive Recycling would provide to the Chief all the necessary documentation to show that the waste in question was actually a material with a known market. If this material was a product with a known market, and subsequently, was never a solid waste, it would be exempt from regulation. The Chief allowed Automotive Recycling time to gather all necessary contracts or receipts which would verify that the material in question was indeed, a marketable product. 40 CFR 261.2(f) requires that "respondents in actions to enforce regulations implementing subtitle C of RCRA who raise a claim that a certain material is not a solid waste, or is conditionally exempt from regulation, must demonstrate that there is a known market or disposition for the material, and that they meet the terms of the exclusion or exemption. In doing so, they must provide appropriate documentation (such as contracts showing that a second person uses the material as an ingredient in a production process) to demonstrate that the material is not a waste, or is exempt from regulation."

Correspondence from the Chief to Automotive Recycling, dated January 26, 1999, sets forth the reports, lists, receipts, and clean-up requirements which Automotive Recycling must accomplish by February 16, 1999, in order to show good faith and a willingness to resolve the violations cited in this Basis for Order. Automotive Recycling asked for an extension on the time of submittal of the documents required by the Chief. An extension was granted to February 22, 1999. Automotive Recycling failed to submit the required documents by the February 22, 1999, extended deadline date. Automotive Recycling has never submitted any of the required documents. Automotive Recycling has not provided to the Chief any evidence that any of the requirements, cited in the correspondence of January 26, 1999, have been accomplished. Automotive Recycling also failed to appear at the scheduled meeting of March 3, 1999. Automotive Recycling has not contacted the Chief in order to continue to resolve these violations.

REQUIREMENTS OF ORDER

Now, therefore, in accordance with Chapter 22, Article 18, Section 15 of the Code, it is hereby **ORDERED** by the Chief as follows:

1. Upon the effective date of this order, and to resolve all violations cited in this Basis for Order, Automotive Recycling shall pay an administrative settlement to the West Virginia Hazardous Waste Management Fund in the amount of \$30,998.00 (thirty thousand nine hundred and ninety-eight dollars).
2. Automotive Recycling will either dispose of all gasoline/water mixtures as a hazardous waste to a hazardous waste disposal facility, or hire a third party to separate the water from the gasoline product, found in all the poly-totes holding the gasoline/water mixture. If separation of the gasoline/water mixture is selected, Automotive Recycling will dispose of the water as a hazardous waste to a hazardous waste disposal facility. Automotive Recycling will then sell or give away the remaining gasoline product. All other non-gasoline waste liquids shall be sent to a hazardous waste disposal facility.
3. Within thirty days of the effective date of this order, Automotive Recycling shall submit a report, which will detail measures that have been taken by Automotive Recycling to correct all violations listed in the Basis for Order. The report shall include copies of all pertinent invoices or contracts relating to work performed to correct the violations, and will include:
 - A. All copies of transport manifests showing the disposal of all non-gasoline waste liquids to a hazardous waste disposal facility.
 - B. All copies of transport manifests, showing the disposal of all separated water or gasoline/water mixtures to a hazardous waste disposal facility.

- C. All copies of receipts showing the separated gasoline as sold or given away. All receipts must show the date of transaction and the amount of gasoline transferred.
- D. All copies of the soil sample reports taken at the site.
- E. All copies of the surface runoff reports taken at the site.

NOTICE OF RIGHT TO APPEAL

Any person aggrieved or adversely affected by an Order of the Chief made and entered in accordance with the provisions of Chapter 22, Article 18 of the Code may appeal to the Environmental Quality Board as provided for under Chapter 22, Article 18, Section 20 of the Code. The filing of the notice of appeal, however, shall not stay or suspend the execution of this order.

March 31, 1999

Effective Date

B. F. Smith, P.E.

B. F. Smith, P.E.

Chief

Office of Waste Management

ADMINISTRATIVE SETTLEMENT CALCULATION MATRIX

Each of the factors, Potential for Harm and Extent of Deviation from the requirement, forms one of the axes of the administrative settlement calculation matrix. The matrix has nine cells, each cell contains an administrative settlement range. The specific cell is chosen after determining which category (major, moderate, or minor) is appropriate for the Potential for Harm factor, and which category is appropriate for the Extent of Deviation factor.

The lowest cell (minor Potential for Harm, minor Extent of Deviation) contains a maximum administrative settlement of \$499. The highest cell (major Potential for Harm, major Extent of Deviation) is limited by the maximum statutory administrative settlement allowance of \$25,000 per day for each violation. The complete matrix is illustrated below. The administrative settlement amounts are based on EPA Guidelines.

		EXTENT OF DEVIATION		
		MAJOR	MODERATE	MINOR
POTENTIAL FOR HARM	MAJOR	\$25,000 TO \$20,000	\$19,999 TO \$15,000	\$14,999 TO \$11,000
	MODERATE	\$10,999 TO \$8,000	\$7,999 TO \$5,000	\$4,999 TO \$3,000
	MINOR	\$2,999 TO \$1,500	\$1,499 TO \$500	\$499 TO \$100

VIOLATIONS SUMMARY AUTOMOTIVE RECYCLING

Violation	Potential	Deviation	Amount
Label Containers	Minor	Major	\$ 2,999
Date of Accumulation	Minor	Major	\$ 2,999
>6000 kg. waste on-site	Major	Major	\$25,000
Total Administrative Settlement West Virginia Hazardous Waste Management Fund:			\$30,998

Handler ID Number

Contact Name

RESERVED FOR
EPA USE

RON KIMBLE

Handler Name

AUTOMOTIVE RECYCLING

Street

City

ROUTE 3 BOX 51B

CLARKSBURG

UNIVERSE CHANGE REQUIRED

YES

NO

NO

I. Indicate the facility's current universe(s):
SMALL QUANTITY GENERATOR

III. Indicate the new transporter status (Mark here only if the facility requires a transporter status change):

II. Indicate the new RCRIS Generator Universe
(Mark only one):LQG [] CEG [] NON-HANDLER []
SQG []

CLOSED

NOTE: All TSD activity changes must be handled by
the state data coordinator and cannot be
made using this form

Transporter []

Non-Transporter []

If the transporter box is checked, you must
check at least one of the boxes below:Check this box if the facility is
currently listed in RCRIS as a
transporter and no longer transports
hazardous waste.

Mark Mode of Transportation

[] Air [] Water
[] Rail [] Other
[] Highway

EVALUATION

Add

X

Change

Delete

Date

Number

Agency

Type

Reason

Branch

Person

04

21

03

S

CEI

FOU

WVJCH

AREAS OF EVALUATION (E - Evaluation NE - Not Evaluated NA - Not Applicable)

GGR		GSC		TWD		DGW		DOR		DWP		BRR		FEA	
GLB	E	GSQ	E	DCH		DLB		DPB		DIN		BPS		CSS	E
GMR		GEX	E	DCL		DLF		DPP		DIA		BIS		UOR	E
GOR		TGR		DCP		DLT		DSI		DPS		BCE		UWR	
GPT		TME		DFR		DMC		DTR		DOP		BDT			
GRR		TOR		DGS		DMR		DTT		DMI		CAS			

Comments FACILITY CLOSED

OUTSTANDING VIOLATIONS COVERED BY ABOVE EVALUATION

Agency	Number	Area	Date Determined	Agency	Number	Area	Date Determined

VIOLATION

ADD

CHANGE

DELETE

Link to above Evaluation? (Y/N)

Agency

Number

Area

Class

Reg Type

Regulation Citation

Returned to Compliance

Date Determined

Branch

Person

RTC Qualifier

Scheduled

Actual

Comments

☐

Required

☐

Required if pertinent

☐

Required only for previously reported data

☐

Not Required by EPA

FILE COPY